

National Aeronautics and Space Administration



Headquarters

Office of Communications
Washington, DC 20546-0001

April 23, 2019

Emily Crose
c/o MuckRock News
Dept MR 71353
411A Highland Ave
Somerville, MA 02144-2516
Via Email: 71353-05725918@requests.muckrock.com

REF: 19-HQ-F-00416

Dear Ms. Crose:

This is a final response to your FOIA request dated April 2, 2019, and received at the NASA Headquarters FOIA Office on April 3, 2019. Your request was assigned FOIA Case Number 19-HQ-F-00416, and seeks:

Any and all documentation containing the term “WANK” between the years of 1988 and 1998; to include any documents, memos, emails, or recorded conversations related to the cleanup and investigation of the “WANK” worm.

In response to your request, searches of NASA’s Office of the Chief Scientist, Planetary Science Division, the Science Mission Directorate, and the History Program Office were conducted using the information you provided above. The searches located two documents, totaling nine pages. We reviewed the responsive records under the FOIA to determine whether they may be accessed under the FOIA’s provisions. Based on that review, this office is providing the following:

3 page(s) are released in full; and
6 page(s) were referred to another agency.

One document, totaling six pages, was referred to the Department of Energy (DOE). The DOE will process the document under the FOIA and respond to you directly. Contact information for the DOE is available at the following website:

<https://www.energy.gov/management/office-management/operational-management/freedom-information-act>.

This referral was made in accordance with NASA regulations, which require NASA to determine whether another entity is better able to determine whether records are exempt from disclosure under the FOIA, and if so, then the record must be referred to the other

entity. 14 C.F.R. § 1206.308. In general, the entity that created a record is presumed best able to determine whether it may be disclosed under the FOIA.

Additionally, the enclosed record suggests the NASA Office of Inspector General (OIG) may also maintain responsive records. As such, I have forwarded your request to that entity for processing and direct response to you. Contact information for NASA-OIG is available at the following website: https://oig.nasa.gov/FOIA_requests.html.

Further, because the records you seek are nearly 30 years old, any additional records created by NASA may have been archived at the National Archives and Records Administration (NARA). As such, you may wish to submit your request to NARA, the contact information for which is available at the following website: <https://www.archives.gov/foia/contacts.html>.

In an effort to be of further assistance, you may also wish to submit your request to the Federal Bureau of Investigation (FBI), and the DOE. Contact information for those entities is available on their respective websites at: <https://www.fbi.gov/services/information-management/foipa/requesting-fbi-records>, and <https://www.energy.gov/management/office-management/operational-management/freedom-information-act>.

You have the right to appeal this response. Your appeal must be received within 90 calendar days of the date of this letter. Your appeal must be in writing and addressed to:

Administrator
ATTN: FOIA Appeals
NASA Headquarters
Executive Secretariat
MS 9R17
Washington, DC 20546

Both the envelope and letter of appeal should be clearly marked "Appeal under the Freedom of Information Act." You must also include copies of your initial request, this correspondence, and any other correspondence with the FOIA office. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should also contain a brief statement of the reasons you believe this initial determination should be reversed.

For further assistance and to discuss any aspect of your request, you may contact NASA's Chief FOIA Public Liaison, Stephanie Fox, via telephone at 202-358-1553 or via e-mail at Stephanie.K.Fox@NASA.gov. You may also send correspondence to Ms. Fox at the following address:

National Aeronautics and Space Administration (NASA)
Freedom of Information Act Unit

NASA Headquarters
Attn: Stephanie Fox
Chief FOIA Public Liaison
300 E Street, S.W., 5P32
Washington D.C. 20546
(Fax) 202- 358-4332

Important: Please note that contacting any agency official including the undersigned, NASA's Chief FOIA Public Liaison, and/or OGIS is not an alternative to filing an administrative appeal and does not stop the 90-day appeal clock.

If you have further questions, please also feel free to contact me at 202-358-0680 or hq-foia@nasa.gov.

Sincerely,



MIREYA P. NYIRENDA
FOIA Public Liaison Officer